

REMARKS

Claims 1, 5-9, 12 and 16-29 are pending. By this Amendment, claim 1 is amended, and claims 2 and 13 are canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is added. Reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments only incorporate features of a dependent claim into an independent claim; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because e.g. they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1, 2, 5-9, 12, 13 and 16-29 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. US 2002/0176214 A1 to Shukh et al. (Shukh) in view of U.S. Patent No. 6,452,743 B1 to Sasaki. This rejection is respectfully traversed.

The rejection of claims 2 and 13 is moot since these claims are canceled by this Amendment.

Claim 1 is amended to recite the features of canceled claim 2, and therefore, recites that a distance, by which the third magnetic films are disposed at both sides of the first pole piece or the second pole piece is set within 1.5-6 μm .

The Office Action alleges that Shukh discloses the thin film magnetic head but for the admission Shukh does not the third magnetic films are disposed between a medium opposing surface of the thin film magnetic head and the outermost coil turn of the coil (claim 1) or that the third magnetic films are so disposed as to cover the coil film (claim 18).

However, referring to Fig. 9 of Shukh, for example, in the magnetic read/write head, the magnetic pole 11, the write gap 13, the first return pole 12, the MR element 17 and the top shield 16 are stacked successively. Then, the side shields 19 are located at both sides of the magnetic pole 11.

With the stacking turn of the magnetic read/write head of Shukh, the GMR element is located on the magnetic pole. In contrast, with the stacking turn of the thin film magnetic head of claim 1, the magnetic pole is located on the GMR element. Applicant respectfully submits that the total structure of the magnetic read/write head of Shukh is different from the total structure of the thin film magnetic head recited in claim 1. Therefore, Applicant respectfully submits that the requirements for the side shields 19 of Shukh are different from the requirements for the third magnetic film on the different stacking structure. In particular, the third magnetic films, recited in claims 1 and 7, are disposed at both sides of the first pole piece or the second pole piece by a distance between 1.5-6 μm .

The Office Action alleges that one of ordinary skill in the art would have been motivated to modify the given distance of Shukh by Sasaki as set forth from the range of 0.02 μm - 0.06 μm to a range of 1.5 μm - 6 μm through an obvious engineering routine lab experimentation. Applicant respectfully disagrees.

Applicant submits that because Shukh is different in the total structure from the claimed invention, and such changing the range would cause the entire structure to be adjusted based on the change, one of ordinary skill in the art would not have been motivated to modify the range, especially the alleged change in the range could be nearly 100 times more than the range taught by Shukh.

In addition, in the invention according to claim 1, two pole portions are provided from the first magnetic film and the second magnetic film. In contrast, in Shukh, only one pole portion 11 is provided. Therefore, the structure of the magnetic read/write head of Shukh is

different from the structure of the claimed thin film magnetic head so that the requirements for the side shields 19 in Shukh is different from the requirements for the third magnetic film on the totally different structure.

Furthermore, referring to Sasaki, the shielding layers (magnetic layers) are provided so as to embed the GMR film at both sides thereof, so that the shielding layers are different from the third magnetic films of the invention accordingly to claim 1 because the third magnetic films are disposed at both sides of the first pole piece or the second pole piece as defined in claim 1. In this point of view, Sasaki does not teach or suggest the third magnetic film of the invention according to claim 1. As such, even combined, Shukh and Sasaki do not teach or suggest each and every feature of claim 1.

At least for these reasons, Applicant respectfully submits that claim 1 is patentably distinct from the applied references.

Claims 5-9, 16, 17 and 29 are allowable at least for their dependence on claim 1, as well as for the additional features they recite.

Claim 18 recites third magnetic films being disposed at both sides of the first pole piece or the second pole piece by a given distance, and that the third magnetic films are so disposed as to cover the coil film.

As discussed above, Sasaki does not teach or suggest the third magnetic film. As such, even combined, the applied references do not teach or suggest each and every feature of claim 18. As such, claim 18 is patentably distinct from the applied references.

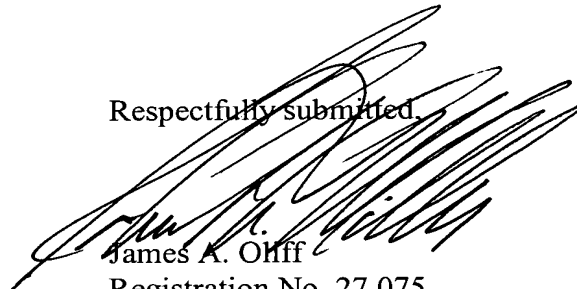
Claims 19-28 are allowable at least for their dependence on claim 18, as well as for the additional features they recite.

At least for the reasons discussed above, Applicant respectfully requests withdrawal of the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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